

REMARKS

Applicant respectfully requests reconsideration of this application in view of the foregoing amendment and following remarks.

Claims 1, 3-5, 7-9 and 11-12 were pending in this application. Of these claims 9, 11 and 12 were allowed. [7/14/05 Office Action at p. 3]. The remaining claims 1, 3-5, 7 and 8 were rejected pursuant to 35 U.S.C. § 102(e) as allegedly being unpatentable over U.S. Patent Publication No. 2002/0037712A1 to Shin in view of U.S. Patent No. 6,370,399 to Phillips. [7/14/05 Office Action at p. 2].

The Office Action may contain a typographical error in this rejection. The citation of two references in this rejection, as well as the use of the word “unpatentable” as opposed to “anticipated,” suggests that an obviousness rejection pursuant to 35 U.S.C. § 103(a) was intended. Nonetheless, this rejection (whether pursuant to § 102(e) or § 103(a)) is now moot in light of the above amendments, which cancel claims 1, 3-5, 7 and 8 without prejudice or disclaimer. Applicants expressly reserve the right to present these claims, or new claims, by way of continuation or divisional application.

As only allowed claims 9, 11 and 12 are pending, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

Application Ser. No. 10/068,479
Amendment dated October 11, 2005
Reply to Office Action of July 14, 2005


Docket No. 4251-4005

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 4251-4005.

Respectfully submitted,
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Dated: October 11, 2005

By: _____


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